



COLORADO
Department of Public
Health & Environment

June 29, 2020

Donald P. Schneider, Chair
Mark F. Turner, Commissioner
William Howard McCormick, Commissioner
Sedgwick County Board of Commissioners
315 Cedar St Ste 220,
Julesburg, CO 80737

Trish McClain
Northeast Colorado Health Department
700 Columbine St.,
Sterling, CO 80751

RE: Sedgwick County Variance Request from portions of **Public Health Order 20-28**

Dear Commissioners and Director McClain:

Thank you for your second application to the Colorado Department of Public Health and Environment (CDPHE) requesting a variance to portions of **Public Health Order 20-28 Safer at Home**. I have had an opportunity to review your request for expanding indoor and outdoor gatherings for special events, movie theaters and town festivals and consider the information provided, and determine that the request is approved, with some amendments, as explained further below. Your request for visitation in nursing homes cannot be granted pursuant to a variance, as this process is exclusively for **Public Health Order 20-28 Safer at Home**, and visitation is regulated pursuant to **Public Health Order 20-20**. We recently authorized outdoor visitation at nursing homes, and are continuing to work on plans to allow for indoor visitation in nursing homes in the future.

As stated in Appendix G to PHO 20-28, when reviewing a variance request, we evaluate the current prevalence of COVID-19 in the jurisdiction, including whether cases are increasing, stable, or decreasing. Your application addresses particular requirements that you propose as an alternative to the Safer at Home model for each of these areas. The data and information included in your request demonstrates that Sedgwick County has reported 0 COVID-19 cases to date with 0 cases in the last two weeks, putting Sedgwick County in the "low" variance category - see [here](#) for more information.

Based on the low disease prevalence in Sedgwick county as assessed in this variance review, the following standard is applied to determine the maximum capacity in the indoor and outdoor

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settings for which you have applied: for all indoor and outdoor spaces, in order to achieve 6 feet distancing, the limit is 50% of the posted occupancy code ensuring a minimum 28 square feet per person not to exceed more than 175 people gathered in a confined indoor space at any given time, and not to exceed 250 in an outdoor space.

Your application requests the following

- **Life rites/indoor events:** Increase capacity for indoor events to 25% capacity up to 50 people maintaining 6 feet distancing, and effective July 15, 2020 increase again to 50% capacity no more than 100 people maintaining 6 feet distancing, for special event gatherings
- **Life rites/outdoor events:** Allow outdoor events to occur with no capacity cap other than requiring 6 feet distancing
- Special event gatherings are defined as weddings, funerals, anniversaries, birthdays, movie theaters, and town festivals.

Your requests for expansion of life rites/indoor events to up to 100 is approved. Outdoor events may expand up to 250 people, with 6 feet distancing, based on the low variance approval described above.

This variance approval is granted based on the facts and circumstances today as you have described them in your request, and is subject to adjustment if conditions worsen as described [here](#). If the County observes 7 or more cases in a two week period, notify CDPHE and then implement a mitigation plan for 2 weeks to try and restore virus transmission levels to the baseline under which the variance was approved. If after 2 weeks the levels are not restored, then the capacity limits are automatically adjusted to the maximum of the new level (low goes to medium, medium goes to high). If the county started at the “high” level for the variance, and after the 2 weeks of mitigation the baseline has not been restored, then the variance is rescinded. This standard for variance review applies to all variances currently in effect in Sedgwick County. Additionally, CDPHE reserves the right to modify or rescind this variance approval as circumstances warrant. This approval is in effect until the final expiration of PHO 20-28, which will be extended in some capacity beyond the current expiration date of June 30, 2020.

I appreciate your thoughtful approach to these challenging issues, and wish you all the best in your continuing efforts to ensure that Sedgwick County residents are safe and healthy as we deal with this global pandemic. Sedgwick County is a valued partner, and we are available to answer any questions and work with you on these matters. Please give me a call if you have any questions.

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Sincerely,

A handwritten signature in black ink that reads "Jill Hunsaker Ryan". The signature is written in a cursive, flowing style.

Jill Hunsaker Ryan, MPH
Executive Director